

PTO/SB/97 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on September 28, 2004
Date

Signature

Lisa M. DiRocco

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Copy of Request for Continued Examination filed on 12/23/03 (1 page);
Copy of Amendment and Response filed on 12/23/03 (8 pages);
Copy of Petition for Five-Month Extension of Time as filed on 12/23/03 (1 page);
Copy of Fee Transmittal as filed on 12/23/03 in duplicate (1 page).
Copy of Return Receipt Postcard as filed on 12/23/03 (1 page);
Copy of Express Mail Label as mailed on 12/23/03 (1 page);
Certificate of Facsimile (1 page), and
Fax Cover Sheet (1 page)

COPY

Atty Docket No.: BGI-122CPRCE

itor: Markus Pompejus et al.

ication No.: 09/604,231

Filing Date: June 27, 2000

: CORYNEBACTERIUM GLUTAMICUM GENES ENCODING PHOSPHOENOLPYRUVATE: SUGAR
PHOSPHOTRANSFERASE SYSTEM PROTEINS

uments Filed:

equest for Continued Examination Transmittal (1 page)

mendment and Response to Office Action (8 pages)

ive-Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

ee Transmittal (1 page - in duplicate)

Information Disclosure Statement (2 pages)

TO-Form 1449 (1 page)

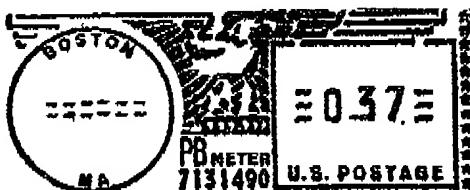
Copy of References A1-A5

Charge \$2,780.00 to deposit account 12-0080

: Express Mail: Airbill No. EL 982 738 126 US

Date: December 23, 2003

nder's Initials: LMD/EAH/jc/lg

NO POSTAGE STAMP NECESSARY
POSTAGE HAS BEEN PREPAID BYLAHIVE & COCKFIELD, LLP
28 STATE STREET
BOSTON, MA 02109

COPY

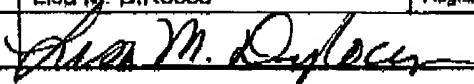
Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/604,231
	Filing Date	June 27, 2000
	First Named Inventor	Markus Pompejus
	Art Unit	1652
	Examiner Name	Maryam Monshipouri
	Attorney Docket No.	BGI-122CPRCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

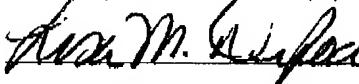
1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)	
a. <input type="checkbox"/> Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked i. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ ii. <input type="checkbox"/> Other _____	
b. <input checked="" type="checkbox"/> Enclosed i. <input checked="" type="checkbox"/> Amendment/Reply iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS) ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) iv. <input type="checkbox"/> Other _____	
2. Miscellaneous	
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) b. <input type="checkbox"/> Other _____	
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.	
a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No <u>12-0080</u> i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e) ii. <input checked="" type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17) iii. <input type="checkbox"/> Other _____	
b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed	
c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Lisa M. DiRocco	Registration No (Attorney/Agent)	51,619
Signature	 December 23, 2003		

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 982 738 126 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 23, 2003

Signature:  (Lisa M. DiRocco)

COPY
P-1040/07/04 (10-03)Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to minor revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 2,780.00)**Complete If Known**

Application Number	09/604,231
Filing Date	June 27, 2000
First Named Inventor	Markus Pompejus
Examiner Name	Maryam Monshipouri
Art Unit	1652
Attorney Docket No	BGI-122CPRCE

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number 12-0080

Deposit Account Name Lahive & Cockfield, LLP

The Director is authorized to (check all that apply)

 Charge fee(s) indicated below Clear any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
FEES CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependents			

Large Entity	Small Entity	Fee Description	Fee Paid
1202	18	2202 9 Claims in excess of 20	
1201	86	2201 43 Independent claims in excess of 3	
1203	290	2203 146 Multiple dependent claim, if not paid	
1204	86	2204 43 * Reissue independent claims over original patent	
1205	18	2205 9 * Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0.00)

* or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or claim	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 210 Extension for reply within second month	
1253	950	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	2,010	2255 1,005 Extension for reply within fifth month	2,010.00
1401	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	280	2403 145 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,330	2453 665 Petition to revive - unintentional	
1501	1,330	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1603	640	2503 320 Plant issue fee	
1480	130	1480 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801 385 Request for Continued Examination (RCE)	770.00
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

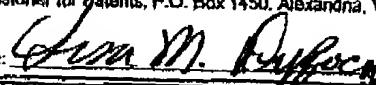
SUBTOTAL (3) (\$ 2,780.00)

SUBMITTED BY

Name (Print/Type)	Lisa M. DiRocco	Registration No (Attorney/Agent)	51,619	Telephone	(617) 227-7400
Signature				Date	December 23, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 882 738 126 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 23, 2003

Signature:  (Lisa M. DiRocco)

COPY

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Approved for use through 7/31/2009, OMB M-02-09

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$ 2,780.00)

Complete if Known

Application Number	09/604,231
Filing Date	June 27, 2000
First Named Inventor	Markus Pompejus
Examiner Name	Maryam Monshipouri
Art Unit	1652
Attorney Docket No.	BGI-122CPRCE

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

 Deposit Account.Depositor Account Number **12-0080**Depositor Account Name **Lahive & Cockfield, LLP**

The Director is authorized to (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 150	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)		0.00	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			
Large Entity	Small Entity	Fee Description	
Fee Code (\$)	Fee Code (\$)	Fee Description	
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	-- Reissue independent claims over original patent	
1205 18	2205 9	-- Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)		0.00	
*Reduced by Basic Filing Fee Paid			
		SUBTOTAL (3) (\$)	2,780.00

**or number previously paid, if greater. For Reissues, see above

(Complete if applicable)			
Name (Print/Type)	Lisa M. DiRocco	Registration No. (Attorney/Agent)	51,619
Signature	<i>Lisa M. DiRocco</i>	Telephone	(617) 227-7400

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 982 738 126 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 23, 2003

Signature: *Lisa M. DiRocco*

